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# **Appendix A Key Definitions**

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| <i>Agricultural Employer</i>                       | Any Person who hires or contracts for the services of workers, for any type of compensation, to perform activities related to the production of agricultural plants, or any person who is the owner of or is responsible for the management or condition of an agricultural establishment that uses such workers. |
| <i>Agricultural Establishment</i>                  | Any farm, forest, nursery or greenhouse.  |
| <i>Agricultural Plant</i>                          | Any plant grown or maintained for commercial or research purposes and includes, but is not limited to, food, feed, and fiber plants; trees; turfgrass; flowers, shrubs; ornamentals; and seedlings.   |
| <i>Chemigation</i>                                 | The application of pesticides through irrigation systems.   |
| <i>Commercial Pesticide Handling Establishment</i> | Any establishment, other than an agricultural establishment, that employs any person, including a self-employed person, to apply on an agricultural establishment, pesticides used in the production of agricultural plants or to perform tasks as a crop advisor.  |
| <i>Crop Advisor</i>                                | Any person who is assessing pest numbers or damage, pesticide distribution, or the status or requirements of agricultural plants. This does not include any person who is performing hand labor tasks.  |
| <i>Early Entry</i>                                 | Entry by a worker into a treated area on the agricultural establishment after a pesticide application is complete, but before any restricted-entry interval for the pesticide has expired.  |
| <i>Farm</i>  | Any operation, other than a nursery or forest, engaged in the outdoor production of agricultural plants.  |
| <i>Forest</i>                                      | Any operation engaged in the outdoor production of any agricultural plant to produce wood fiber or timber products.   |
| <i>Fumigant</i>                                    | Any pesticide product that is a vapor or gas on application, and whose method of pesticidal action is through the gaseous state.  |

*Greenhouse*

Any operation engaged in the production of agricultural plants inside any structure or space that is enclosed with nonporous covering and that is of sufficient size to permit worker entry. This term includes, but is not limited to, polyhouses, mushroom houses, rhubarb houses, and similar structures.. It does not include such structures as malls, atriums, conservatories, arboretums, or office buildings, where agricultural plants are primarily for aesthetic or climatic modification.

*Hand Labor*

Any agricultural activity performed by hand or with hand tools that causes a worker to have substantial contact with surfaces (such as plants, plant parts, or soil) that may contain pesticide residues. These activities include, but are not limited to, harvesting, detasseling, thinning weeding, topping, planting, sucker removal, pruning, disbudding, roguing, and packing produce into containers in the field. Hand labor does not including operating, moving, or repairing irrigation or watering equipment or performing the tasks of crop advisors.

*Handler*

Any person, including a self-employed person:

- 1) Who is employed for any type of compensation by an agricultural establishment or commercial pesticide handling establishment to which subpart C of the part applies and who is:
  - (i) Mixing, loading, transferring, or applying pesticides.
  - (ii) Disposing of pesticides or pesticide containers.
  - (iii) Handling opened containers of pesticides.
  - (iv) Acting as a flagger.
  - (v) Cleaning, adjusting, handling, or repairing the parts of mixing, loading, or application equipment that may contain pesticide residues.
  - (vi) Assisting with the application of pesticides.
  - (vii) Entering a greenhouse or other enclosed area after the application and before the inhalation exposure level listed in the labeling has been reached or one of the ventilation criteria established by this part (§170.110(c)(3)) or in the labeling has been met:
    - (A) to operate ventilation equipment.
    - (B) to adjust or remove coverings used in fumigation.
    - (C) to monitor air levels.
  - (viii) Entering a treated area outdoors after application of any soil fumigant to adjust or remove soil coverings such as tarpaulins.

- (ix) Performing tasks as a crop advisor:
  - (i) during any pesticide inspection.
  - (ii) before the inhalation exposure level listed in the labeling has been reached or one of the ventilation criteria established by this part (§170.110(c)(3)) or in the labeling has been met.
  - (iii) during the restricted entry-entry interval.
- 2) The term does not exclude any person who is only handling pesticide containers that have been emptied or cleaned according to pesticide product labeling instructions or, in the absence of such instructions, have been subjected to triple-rinsing or the equivalent.

*Handler Employer*

Any person who is self-employed as a handler or who employs any handler, for any type of compensation.

*Immediate Family*

Includes only spouse, children, stepchildren, foster children, parents, stepparents, foster parents, brothers, and sisters.

*Nursery*

Any operation engaged in the outdoor production of any agricultural plant to produce cut flowers and ferns or plants that will be used in their entirety in another location. Such plants include, but are not limited to, flowering and foliage plants or trees; tree seedlings; live Christmas trees; vegetable, fruit, and ornamental transplants; and turfgrass produced for sod.

*Owner*

Any person who has a present possessory interest (fee, leasehold, rental, or other) in an agricultural establishment covered by this part. A person who has leased such an agricultural establishment to another person and granted that same person the right and full authority to manage and govern the use of such agricultural establishment is not an owner for purposes of this part.

*Restricted-entry Interval*

The time after the end of a pesticide application during which entry into the treated area is restricted.

*Treated Area*

Any area to which a pesticide is being directed or has been directed.

*Worker*

Any person, including a self-employed person, who is employed for any type of compensation and who is performing activities relating to the production of agricultural plants on an agricultural establishment to which subpart B of this applies. While persons employed by a commercial pesticide handling establishment are performing tasks as crop advisors, they are not workers covered by the requirements of subpart B of this part.